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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
AJIBADE AKONAI, OLUMIDE	
ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/989,255	LIN, MING-HUNG	
	Examiner	Art Unit	
	OLUMIDE T. AJIBADE AKONAI	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 February 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9,12-16,18 and 19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *19* is/are allowed.

6)☒ Claim(s) *1-6,8,9,12-14,16 and 18* is/are rejected.

7)☒ Claim(s) *7 and 15* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

2. Claims 1-3, 12, 13, 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dervarics 6,553,240** in view of **Hollstrom et al 6,968,365** (**hereinafter Hollstrom**).

Regarding **claim 1** Dervarics discloses a mobile device (mobile phone 100, see fig. 2, col. 4, line 50), comprising: primary communication means (201, see fig. 2, col. 5, lines 10-13) for establishing a primary communication session via a transcoding proxy (WAP gateway, see col. 3, lines 51-54) with a content server (communication between web server and WAP device 100 via WAP gateway, see fig. 1, col. 3, lines 51-62); and auxiliary communication means (202, see fig. 2, col. 5, lines 15-18) for establishing an auxiliary communication session (110, see fig. 1, col. 3, lines 38-40) with an auxiliary

rendering device (printer 120, see fig. 1, col. 3, lines 38-40), the auxiliary communication session including content of the primary communication session that is adapted to the capabilities of the auxiliary rendering device (receiving data from a web server, the data being properly formatted for the WAP device 100 by WAP gateway and forwarding the content to the WAP device 100, which then sends the content to a printer 120, see fig. 1, col. 3, lines 38-41 and lines 51-61, col. 4, lines 1-4, col. 7, lines 30-32).

Dervarics does not specifically disclose wherein the auxiliary communication means are arranged for receiving an assistance message from the auxiliary rendering device, the assistance message comprising information on the rendering capabilities of the auxiliary rendering device.

Hollstrom, however, discloses in a mobile device (mobile telephone 1/200, see figs. 1 and 2, col. 6, lines 53-55), auxiliary communication means (15, 16, 17, see fig. 1, col. 3, lines 15-67, col. 4, lines 1-8) arranged for receiving an assistance message from an auxiliary rendering device (receiving identifying commands from server modules for devices 30, 40, and 50, the commands comprising parameters that mobile telephone 1/200 can use to communicate with the devices 30, 40, and 50, see figs. 1-2, col. 6, lines 53-67, col. 7, lines 1-8), the assistance message comprising information on the rendering capabilities of the auxiliary rendering device (receiving identifying commands from server modules for devices 30, 40, and 50, the commands comprising parameters that mobile telephone 1/200 can use to communicate with the devices 30, 40, and 50, see figs. 1-2, col. 6, lines 53-67, col. 7, lines 1-8).

It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Hollstrom, by transmitting identification information comprising parameters for communication between the mobile telephone and a utility device, into the system of Dervarics for the benefit of having a mobile telephone access and communicate with a utility device.

Regarding **claim 2** as applied to claim 1, Dervarics as modified by Hollstrom discloses the claimed limitation. Dervarics further discloses rendering means for rendering content received in the primary communication session (301, see fig. 3, col. 6, lines 59-64, col. 7, lines 1-3); and rendering control means for examining the content and redirecting the content to one of the rendering means and the auxiliary communication means in dependence on the examination (301, see fig. 3, col. 6, lines 59-64, col. 7, lines 1-8), wherein the auxiliary communication means are arranged for transmitting the content via the auxiliary communication session for rendering by the auxiliary rendering device (receiving data from a web server, the data being properly formatted for the WAP device 100 by WAP gateway and forwarding the content to the WAP device 100, which then sends the content to a printer 120, see fig. 1, col. 3, lines 38-41 and lines 51-61, col. 4, lines 1-4, col. 7, lines 30-32).

Regarding **claim 3** as applied to claim 1, Dervarics as modified by Hollstrom discloses the claimed limitation. Dervarics further discloses wherein the auxiliary communication means are arranged for establishing the auxiliary communication session in response to the assistance message (receiving identifying commands from server modules for devices 30, 40, and 50, the commands comprising parameters that

mobile telephone 1/200 can use to communicate with the devices 30, 40, and 50, see figs. 1-2, col. 6, lines 53-67, col. 7, lines 1-8), and the primary communication means are arranged for transmitting said information on the rendering capabilities to the transcoding proxy (see figs. 1-2, col. 3, lines 51-62, col. 6, lines 53-67, col. 7, lines 1-8).

Regarding **claim 12** as applied to claim 1, Dervarics further discloses a selection means for selecting a most suitable auxiliary rendering device from among a plurality of auxiliary rendering devices based on the rendering capabilities of each of the plurality of auxiliary rendering devices as specified in a plurality of assistance messages respectively received from the plurality of auxiliary rendering devices (receiving identifying commands from server modules for devices 30, 40, and 50, the commands comprising parameters that mobile telephone 1/200 can use to communicate with the devices 30, 40, and 50, see figs. 1-2, col. 6, lines 53-67, col. 7, lines 1-8).

Regarding **claim 13** as applied to claim 1, Dervarics further discloses selection means for selecting the auxiliary rendering device from among a plurality of auxiliary rendering devices based on at least one of a proximity to the mobile device, and a quickest response time from among each of a plurality of auxiliary rendering devices (see figs. 1-2, col. 6, lines 53-67, col. 7, lines 1-8).

Regarding **claim 16** as applied to claim 1, Dervarics further discloses wherein the content includes audio content and video content (see col. 3, lines 38-41 and lines 51-61, col. 4, lines 1-4, col. 7, lines 30-32).

3. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dervarics 6,553,240** in view of **Hollstrom et al 6,968,365** (**hereinafter Hollstrom**) as applied to claim 3 above, and further in view of **Novakov 6,571,103**.

Regarding **claim 4** as applied to claim 3, Dervarics discloses the claim limitation except wherein the auxiliary communication means are arranged for transmitting an assistance request to at least one auxiliary rendering device.

Novakov, however, discloses a station (see fig. 2, col. 4, lines 58-65) with an auxiliary means arranged for transmitting an assistance request to at least one auxiliary rendering device (transmitting a page to the mobile station., see fig. 2, col. 5, lines 9-19).

It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Novakov, by sending a page message from to a device, into the system of Dervarics as modified by Hollstrom, for the benefit of receiving the identification data associated with the device.

Regarding **claim 5** as applied to claim 4, Dervarics further discloses wherein the primary communication means are arranged for receiving a communication request for establishing the primary communication session (201, see fig. 2, col. 5, lines 10-13), and the auxiliary communication means are arranged for transmitting the assistance request in response to receiving the communication request (202, see fig. 2, col. 5, lines 15-18).

Regarding **claim 6** as applied to claim 4, Dervarics as modified by Hollstrom and Novakov discloses the claimed limitation. Novakov further discloses wherein the

auxiliary communication means are arranged for transmitting the assistance request when a level for the quality of a previously established auxiliary communication session drops below a predetermined value (see fig. 2, col. 4, lines 58-67).

Allowable Subject Matter

4. Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUMIDE T. AJIBADE AKONAI whose telephone number is (571)272-6496. The examiner can normally be reached on M-F, 8.30p-5p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617